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July 2, 2025

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Pamela K. Chen, U.S.D.J.
225 Cadman Plaza East, Courtroom 11D South
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, et al.
Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Judge Chen:

This office, along with Sage Legal LLC, represents the Plaintiff IME WatchDog, Inc. (“Plaintiff”), in the above-referenced case.

Defendants Safa and Vito Gelardi (the “Individual Defendants”) have astonishingly, once again, filed Plaintiff’s confidential information on the docket. Their submission also establishes that they continue to possess Plaintiff’s confidential information despite multiple Court Orders directing them to destroy same..

As summarized below, in the Individual Defendants’ “Motion to Strike or Dismiss based on Plaintiff’s Material Inconsistencies and Bad Faith”, ECF Docket Entry [526](#), the Individual Defendants’ included (i) Plaintiff’s confidential documents; and (ii) emails referring to attachments that contain Plaintiff’s confidential information. Although the attachments were not filed on the docket, the submission establishes that the Individual Defendants are in possession of the emails containing attachments with Plaintiff’s confidential information despite multiple Court Orders directing the Individual Defendants to destroy same.

- Pages 16-17, 35, 42, 57 (text messages and emails that contain Plaintiff’s customer’s email address);
- Pages 26, 28, 43-49, 52-53, 59-60, 62-64 (emails that contain Plaintiff’s confidential information and identifying attachments that contain Plaintiff’s confidential information); and

- Pages 32, 50-51 (marketing information containing Plaintiff's confidential information).

Plaintiff urgently respectfully requests that ECF Docket Entry [526](#) be sealed.

The Individual Defendants' "Motion to Strike or Dismiss based on Plaintiff's Material Inconsistencies and Bad Faith", which fails to provide any legal authority supporting the remedies they seek, should be denied because they failed to comply with this Court's rules requiring a pre-motion conference prior to filing a dispositive motion. It is respectfully submitted that the Court should not entertain a pre-motion conference or permit the Individual Defendants to file a motion to dismiss until all previous motions are decided and the Individual Defendants comply with all Court Orders, including paying Plaintiff's and Carlos Roa's attorneys' fees and costs.

Dated: Lake Success, New York
July 2, 2025

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Jamie S. Felsen, Esq.

Dated: Jamaica, New York
July 2, 2025

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

cc: Safa Gelardi (via ECF)

Vito Gelardi (first class mail)
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